

## PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

McCall, Catherine A.  
Babu, Uma Mahesh  
Radecki, Steven V.

) Group Art Unit: 1641

) Examiner: Yang, Nelson C.

REQUEST FOR  
EXTENSION OF TIME

Serial No.: 10/038,519

Filed: January 3, 2002

Atty. File No.: SC-1-C2

For: "DETECTION OF ALLERGEN-  
SPECIFIC IgE"

## CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE AND  
THE DOCUMENTS REFERRED TO AS ENCLOSED HEREIN  
ARE BEING DEPOSITED WITH THE UNITED STATES POSTAL  
SERVICE AS FIRST CLASS MAIL, ADDRESSED TO  
COMMISSIONER FOR PATENTS, P.O. BOX 1450,  
ALEXANDRIA, VA 22313-1450, THIS 4TH DAY OF JUNE 2004.  
HESKA CORPORATIONBy: Susan A. Gordon

Susan A. Gordon

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Applicants respectfully petition, under 37 CFR § 1.136(a), for an extension of time of one (1) month to respond to the Office Action mailed from the U.S. Patent and Trademark Office on February 10, 2004, with respect to the above-identified application, thereby extending the period for response from May 10, 2004, to June 10, 2004.

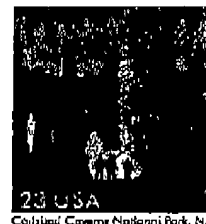
Applicants hereby authorize the requisite extension fee of \$55 to be charged to Deposit Account 081930. Please credit any overpayment or debit any underpayment to Deposit Account No. 081930.

Respectfully submitted,

Dated: June 4, 2004

By: Richard J. SternRichard J. Stern, Ph.D.  
Registration No. 50,668  
Heska Corporation  
1613 Prospect Parkway  
Fort Collins, Colorado 80525  
Telephone: (970) 493-7272  
Facsimile: (970) 491-9976

Heska Corporation  
Intellectual Property Dept.  
1613 Prospect Parkway  
Fort Collins, CO 80525



'04 JUN 17 RCVD

23 JUN 2004

|||||

DOCKETED

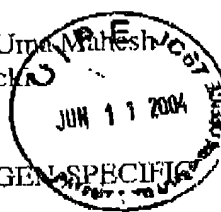
DATE: June 4, 2004

APPLICANT: Catherine A. McCall; Uma Maheshwari  
Babu; Steven V. Radecki

SERIAL NO.: 10/038,519

ATTY. FILE NO.: SC-1-C2

TITLE: "DETECTION OF ALLERGEN SPECIFIC  
IgE"



RECEIPT IS HEREBY ACKNOWLEDGED OF:  
Request for Extension of Time (one month);  
Amendment and Response; English translations of  
abstracts for references B1 and B2.



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

# MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

HESKA CORPORATION  
CAROL TALKINGTON VERSER, PH.D.  
1613 PROSPECT PARKWAY

FORT COLLINS CO 80525-9769

FINA

Under Secretary of Commerce for Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
www.uspto.gov

Account No.	081930
Date	6-30-04
Page	1

764 JUL 22 RCVD

PLEASE SEND REMITTANCES TO:  
U. S. Patent and Trademark Office  
P.O. Box 70541  
Chicago, IL 60673

DATE POSTED MO. DAY YR.	CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
6/15/04	118	10038519	SC-1-C2	2251	hmo.ext 55.00	4407.00
<p><i>payment of the extension of time fee</i></p>						
<p>AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT</p>						
			OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE
			5232.00	3693.00	5000.00	6539.00

**Method for the determination of allergen-specific antibodies in body fluids**

Patent number: DE3820556  
Publication date: 1989-12-21  
Inventor: ALBERT WINFRIED DR PHIL (DE); GROL MICHAEL  
DR RER NAT (DE); STAHL PETER DR RER NAT (DE)  
Applicant: BOEHRINGER MANNHEIM GMBH (DE)  
Classification:  
- international: C07K15/06; G01N33/53; G01N33/532  
- european: G01N33/53F, G01N33/543B, G01N33/569H,  
G01N33/68B  
Application number: DE19883820556 19880616  
Priority number(s): DE19883820556 19880616

**Abstract of DE3820556**

In the determination of allergen-specific antibodies in body fluids by the immunoassay principle by incubation with at least two receptors R1 and R2 which are able to bind to the antibody to be determined, where R2 carries a label, separation of the solid from the liquid phase and measurement of the label in one of the two phases, the allergen which is capable of specific binding to the antibody to be determined is used as R1, and a conjugate of a label and an antibody directed against the Fe part of IgE or IgG is used as R2.

Data supplied from the **esp@cenet** database - Worldwide

① BUNDESREPUBLIK  
DEUTSCHLAND



DEUTSCHES  
PATENTAMT

① Offenlegungsschrift  
DE 3820556 A1

② Aktenzeichen: P 38 20 556.4  
③ Anmeldetag: 16. 6. 88  
④ Offenlegungstag: 21. 12. 89

⑤ Int. Cl. 4:  
G 01 N 33/53  
G 01 N 33/532  
C 07 K 15/06  
// C12N 15/00, 5/00,  
C12P 19/34,  
C07H 21/04

Behördeneigentlich

COPY

DE 3820556 A1

① Anmelder:  
Boehringer Mannheim GmbH, 6800 Mannheim, DE

② Vertreter:  
Weickmann, H., Dipl.-Ing.; Fincke, K., Dipl.-Phys.  
Dr.; Weickmann, F., Dipl.-Ing.; Huber, B.,  
Dipl.-Chem.; Liska, H., Dipl.-Ing. Dr.-Ing.; Prechtel,  
J., Dipl.-Phys. Dr.rer.nat., Pat.-Anwälte, 8000  
München

③ Erfinder:  
Albert, Winfried, Dr.phil., 8121 Pähl, DE; Grol,  
Michael, Dr.rer.nat., 8133 Feldafing, DE; Stahl, Peter,  
Dr.rer.nat., 8131 Bernried, DE

④ Verfahren zur Bestimmung von allergenspezifischen Antikörpern in Körperflüssigkeiten




Zur Bestimmung von allergenspezifischen Antikörpern in Körperflüssigkeiten nach dem Prinzip des Immunoassays durch Inkubation mit mindestens zwei Rezeptoren  $R_1$  und  $R_2$ , die mit dem zu bestimmenden Antikörper bindetfähig sind, wobei  $R_2$  eine Markierung trägt. Trennung der festen von der flüssigen Phase und Messung der Markierung in einer der beiden Phasen, verwendet man als  $R_1$  das mit dem zu bestimmenden Antikörper spezifisch bindetfähige Allergen und als  $R_2$  ein Konjugat aus einem gegen den Fc-Teil von IgE oder IgG gerichteten Antikörper und einer Markierung.

DE 3820556 A1

**Streifentest zur in-vitro-Allergiediagnostik**

**Patent number:** DE19721151  
**Publication date:** 1998-11-26  
**Inventor:** CROMWELL OLIVER DR (DE); FIEBIG HELMUT PROF (DE); WAHL RUEDIGER DR (DE)  
**Applicant:** MERCK PATENT GMBH (DE)  
**Classification:**  
- international: G01N33/543; G01N33/52; A61B10/00  
- european: G01N33/68B  
**Application number:** DE19971021151 19970521  
**Priority number(s):** DE19971021151 19970521

**Also published as:**

 WO9853321 (A1)  
 EP1019730 (A1)  
 TR9902855T (T2)

**Abstract of DE19721151**

The invention relates to a strip test for diagnosing allergies in-vitro, and a method for detecting specific IgE in whole blood or in sera. The invention also relates to the use of said strip test for detecting inhaled allergens, food allergens, cross-reactivity allergens and Mediterranean allergens.

Data supplied from the esp@cenet database - Worldwide



⑮ BUNDESREPUBLIK  
DEUTSCHLAND



DEUTSCHES  
PATENT- UND  
MARKENAMT

⑫ **Offenlegungsschrift**  
⑩ **DE 197 21 151 A 1**

⑤ Int. Cl.<sup>6</sup>:  
**G 01 N 33/543**  
G 01 N 33/52  
A 61 B 10/00

⑲ Aktenzeichen: 197 21 151.8  
⑳ Anmeldetag: 21. 5. 97  
㉑ Offenlegungstag: 26. 11. 98

**COPY**

DE 197 21 151 A 1

⑲ Anmelder:  
Merck Patent GmbH, 64293 Darmstadt, DE

⑲ Erfinder:  
Wahl, Rüdiger, Dr., 22085 Hamburg, DE; Cromwell,  
Oliver, Dr., 21465 Wentorf, DE; Fiebig, Helmut, Prof.,  
21493 Schwarzenbek, DE

⑥⑥ Entgegenhaltungen:  
DE 1 95 26 675 A1  
US 43 31 650  
EP 02 03 238 A1  
WO 85 02 262

KEMENY, D.M.: EIIISA - Anwendung des Enzyms  
Linked Immunosorbent Assay im biologisch  
medizinischen Labor, 1994, Gustav Fischer  
Verlag Stuttgart (u.a.), S. 92;

Die folgenden Angaben sind den vom Anmelder eingereichten Unterlagen entnommen

Prüfungsantrag gem. § 44 PatG ist gestellt

④ Streifentest zur in-vitro-Allergiediagnostik

⑤ Die Erfindung betrifft einen Streifentest zur in-vitro Allergiediagnose und ein Verfahren zum Nachweis von spezifischem IgE in Vollblut oder Seren im human- und veterinärmedizinischen Bereich sowie die Verwendung des Streifentests zum Nachweis von Inhalations-, Nahrungsmittel-, Kreuzreaktivitäts- und Meditteranallergenen.

DE 197 21 151 A 1